

UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE

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|---------------------------------------|---|-----------------------------------|
| _____ |) | |
| NATASHA ATHENS d/b/a Favorite Things, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | Civil Action No. 1:21-cv-00748-SM |
| |) | |
| BANK OF AMERICA and MEGAN SCHOLZ, |) | |
| |) | |
| Defendants. |) | |
| _____ |) | |

DEFENDANTS BANK OF AMERICA, N.A. AND
MEGAN SCHOLZ’S RESPONSE TO THE DOCKETING OF
SERVICE OF PROCESS BY THE U.S. MARSHALS SERVICE

NOW COME defendants Bank of America, N.A.¹ and Megan Scholz (“Defendants”), by and through their attorneys, Primmer Piper Eggleston & Cramer PC, and hereby respectfully respond to the December 15, 2021 notice of docketing the Service of Process by the U.S. Marshals Service (Doc. #61) as follows:

1. Plaintiff filed the Complaint on September 3, 2021 (Doc. #1).
2. On October 19, 2021, Defendants filed a Motion for Acceptance of Service (Doc. #21) because the U.S. Marshals Service had been unable to serve Defendants in North Carolina.
3. On October 27, 2021, the Court granted Defendants’ Motion for Acceptance of Service.
4. Also on October 27, 2021, the U.S. Marshals Service filed its returns of service of the Complaint on Defendants, who were served in North Carolina (Doc. #27). Said service on Defendants made service of the Complaint on Defendant’s counsel moot.

¹ Incorrectly named in Plaintiff’s Complaint as “Bank of America.”

5. On November 9, 2021, Defendants filed a motion to dismiss the Complaint (Doc. #33).

6. Also on November 9, 2021, the U.S. Marshals Service in New Hampshire served another copy of the Complaint on the undersigned counsel.

7. On December 3, 2021, the U.S. Marshals Service in New Hampshire filed its return of service on the undersigned counsel (Doc. #61).

8. On December 15, 2021, the Court entered on the docket the return of service by the U.S. Marshals Service on the undersigned counsel (Doc. #61).

9. The Defendants' motion to dismiss is pending with the Court. The Court has allowed the parties to file supplemental briefs by December 24, 2021.

10. There is no need for Defendants to again respond to the additional copy of the Complaint that was served on the undersigned counsel since Defendants have filed a motion to dismiss the Complaint.

Respectfully submitted,

BANK OF AMERICA, N.A. and MEGAN SCHOLZ

By their attorneys,

PRIMMER PIPER EGGLESTON & CRAMER PC

Dated: December 16, 2021 By: /s/Thomas J. Pappas

Thomas J. Pappas, Esq., N.H. Bar No. 4111

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing DEFENDANTS BANK OF AMERICA, N.A. AND MEGAN SCHOLZ'S RESPONSE TO THE DOCKETING OF SERVICE OF PROCESS BY THE U.S. MARSHALS SERVICE has this day been forwarded via the Court's Electronic Case Filing System to:

Natasha Athens
Natasha4NHGov@protonmail.com

Dated: December 16, 2021 By: /s/Thomas J. Pappas
Thomas J. Pappas, Esq., (N.H. Bar No. 4111)